



# MINUTES

## BOARD OF SUPERVISORS, COUNTY OF MONO

### STATE OF CALIFORNIA

Regular Meetings: The First, Second,  
And Third Tuesday of each month

### REGULAR MEETING

#### April 11, 2006

County Courthouse  
Bridgeport, California 93517

9:00 a.m. **Called to order by Vice-Chairman, Supervisor Duane “Hap” Hazard**

### **Pledge of Allegiance led by Marshall Rudolph, County Counsel**

Supervisor of District #4, John Cecil, passed away on April 9, 2006. The District #4 seat is now vacant.

**Absent:** Supervisor Tom Farnetti

Supervisor Hazard requests a moment of silence in remembrance of various county residents/officers/officials that have passed away this past few days. (Mono County District #4 Supervisor John Cecil, Jan Work of the Office of Education, three Mammoth Mountain Ski Patrol member; John Rosenthal, John McAndrews and James Juarez.

**MOMENT OF SILENCE IS OBSERVED**

### **OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

None

### **DEPARTMENT REPORTS/EMERGING ISSUES**

Kelly Garcia, Public Works – Bryant Field, Bridgeport, “through the fence” issue will be discussed further in a workshop in May.

Four Seasons Maintenance contract has been cancelled. Molina Janitorial will take over.

### **COUNTY ADMINISTRATIVE OFFICE**

#### **1) CAO Report and Tracking Report**

CAO Report and Tracking Report re Board Assignments **(David Wilbrecht)**

**ACTION:** Receive brief oral report by County Administrative Officer (CAO) regarding his activities. Review and potentially revise Tracking Report of Board assignments.

*Problems with purchase of Sierra Centre Mall probably will drop it.*

*Management meeting – lots of discussion, good meeting.*

*Deferred Comp meeting.*

*DIF concepts with Town of Mammoth Lakes*

*Finalized negotiations with MCPEA*

*Transit Authority meeting-problems*

*Supervisor Cecil's passing – appreciation for help with noticing and information*

*Meetings on church parcel and meeting in June Lake*

9:05 a.m.  
Enter closed  
session

## CLOSED SESSION

2a)  
Labor  
Negotiations

CONFERENCE WITH LABOR NEGOTIATORS (MCPE). Government Code §54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, and Robert Garret. Employee organizations: Local 39 (MCPE, DPOU), Paramedic Fire and Rescue Association, Sheriff's Officers' Association (DSA), Sheriff Department Management Association, Public Safety Officers Association, Management Council. Unrepresented employees: County Administrator, County Counsel, Deputy County Counsel, Mental Health Director, Social Services Director, Public Health Director, Health and Human Services Director, Human Resources Manager, Health Officer, Psychiatrist, Assistant Public Works Director, Project Manager, Assistant District Attorney, District Attorney Chief Investigator, Assistant Treasurer-Tax Collector, Assistant Auditor-Controller, IT Director, Building Official, Budget & Organization Analyst, Assistant Clerk-Recorder, Probation Officer, and Child Support Director.

**Exit Closed Session: 10:25 a.m.**

**Recess: 10:25 a.m. to 10:30 a.m.**

## CONSENT AGENDA

### PUBLIC HEALTH / TOBACCO

3)  
Social Health  
Ordinance  
ORD06-03

#### Social Health Ordinance

**ACTION:** Adopt Ordinance adding Chapter 10/20 to the Mono County Code concerning the hosting of parties on private property where alcohol is consumed by minors.

**Hunt/Bauer 3-0 Absent: Farnetti Vacant: District #4**

### SHERIFF-CORONER

4)  
Renewal of  
Boating  
Contract  
M06-43

Renewal of Boating Contract

**ACTION:** (1) Authorize the Sheriff's Department to participate and renew the contract with the California Department of Boating and Waterways for fiscal year 2006-2007. (2) Approve and authorize Chairman's signature on a **contract** with the California Department of Boating and Waterways for fiscal year 2006-2007. (3) Authorize the Sheriff, Daniel A. Paranick, to sign all reimbursement forms for said contract.

**Hunt/Bauer 3-0 Absent: Farnetti Vacant: District #4**

### COUNTY COUNSEL

5)  
Death of  
Incumbent  
Supervisor  
John Cecil;  
urgency item  
regarding  
Memorial  
Services

Consent for Absence from the State ***pulled from consent agenda***

**RECOMMENDED ACTION:** Give consent pursuant to Government Code section 1063 for Supervisor John Cecil to be absent from the state for more than thirty (30) days.

**This item is pulled from consent agenda and moved to regular agenda.**

County counsel explains why this matter was put on agenda – now that Supervisor Cecil has passed away it is a different situation. Death of an incumbent creates a vacancy. Governor appoints until the next General Election. General Election is this

Closure of

County  
Offices.

November 2006. In this situation where there is an entire year (after the General Election) of the term remaining— candidates may come forward and file as independent candidates – signatures needed are more – 3% of voters in Sup. District #4 in 2004 election.

Board can notify the Governor (not mandated) and he can appoint someone until election – candidate that is elected would fill the unexpired term of deceased candidate. There is no “option” other than the filling of term in General Election 2006. The governor **may** appoint someone to fill vacancy. Candidate has to be registered voter of the district.

Urgency Item discussion to determine if there are findings for an urgency item. CAO is concerned about employees being allowed to attend and not be charged leave time. Concerned about shutting the offices down.

**ACTION:** The Board determines that there is a need to take immediate action regarding closure of Mono County Offices in order for employees to attend the Memorial Services for Supervisors John Cecil and that the need for this action came to the County’s attention subsequent to the agenda being posted and, therefore, the Board adds this item to the agenda.

**Bauer/Hunt 3-0 Absent: Farnetti Vacant: District #4**

M06-44a

**ACTION:** Board authorizes that County offices **may** be closed if necessary to attend the memorial services on April 19, 2006 for Supervisor John Cecil. Offices are to be reopened as soon as possible thereafter. Public shall be given notice by any department that has to close for this memorial service. If staffing allows, departments will remain open.

**Bauer/Hunt 3-0 Absent: Farnetti Vacant: District #4**

M06-44b

## PUBLIC WORKS

### 7a)

Bid Opening  
for the  
Courthouse  
Exterior  
Renovation  
Project

Bid Opening for the Courthouse Exterior Renovation Project (**Kelly Garcia**)

*No bids received in Bridgeport – single bid was received by architect in Reno. This is irregular but bid can be opened by phone. There are no other bidders. Kelly Garcia calls architects office to have bid read. Michelle*

Bid from **Raymond Brothers Construction**. Base bid \$361,584.57 total alternates \$147,746.83  
**Total Bid is \$ 509,331,40**

Referred to  
Public Works

No Action

**ACTION:** (1) Bid is read aloud (over the phone) for the Mono County Courthouse exterior renovation project. (2) Refer proposal to the Public Works Director for review and recommendation. Referred to Public Works

### 7b)

Proposed  
Landscaping  
of June Lake  
Streetscape  
Project  
M06-45

Proposed Landscaping of June Lake Streetscape Project (**Kelly Garcia**)

**ACTION:** (1) Adopt and approve plans and specifications for the landscaping of the June Lake Streetscape. (2) Approve and authorize the Clerk of the Board, in consultation with the Department of Public Works, to advertise for bids. (3) Approve and authorize the Director of Public Works to process and execute appropriate construction documents during the bid process.

**Bauer/Hunt 3-0 Absent: Farnetti Vacant: District #4**

## PROBATION

- 7c)** Juvenile Accountability Block Grant (**Beverlee Bryant**)  
Juvenile Accountability Block Grant R06-28  
**ACTION:** Approve and authorize Chairman's signature on a **Resolution No. R06-28** authorizing Beverlee Bryant, Chief Probation Officer, to submit the JABG application and sign the Grant Agreement with the Corrections Standards Authority to receive a block grant of \$22,432 with a 10% match to be used to support juvenile services in Mono County.  
**Hunt/Bauer 3-0 Absent: Farnetti Vacant: District #4**

## ASSESSOR

- 8a)** Property Tax Relief (**James Lovett, Bob Musil, Mark Magit**)  
Property Tax Relief M06-46  
**ACTION:** Introduce, read title, and waive further reading of a proposed **Ordinance** amending Title 3 of the Mono County Code and replacing Chapter 3.40 of the Mono County Code to provide an Ordinance that allows a taxpayer to apply for a reassessment of property that has been damaged or destroyed by misfortune or calamity as provided in Revenue and Taxation Code Section 170; direct Clerk to schedule Ordinance for adoption at the Board's next regularly scheduled meeting;  
**Hunt/Bauer 3-0 Absent: Farnetti Vacant: District #4**

- 8b)** Property Tax Exemption (**James Lovett, Bob Musil, Mark Magit**)  
Property Tax Exemption R06-29  
**ACTION:** Approve and authorize Chairman's signature on a **Resolution No. R06-29** exempting real and personal property and vessels with a value of \$3,500 or less from property taxation; repeal Resolution R02-003.  
**Bauer/Hunt 3-0 Absent: Farnetti Vacant: District #4**

- 8c)** Open Space Subvention Act applications (**James Lovett, Bob Musil, Mark Magit**)  
Open Space Subvention Act applications R06-30  
**ACTION:** Approve and authorize Chairman's signature on a **Resolution No. R06-30** designating the Mono County Assessor as the authorized representative to submit applications under the Open Space Subvention Act; repeal Resolution R02-016  
**Hunt/Bauer 3-0 Absent: Farnetti Vacant: District #4**

- 8d)** Failure to file Change of Ownership (**James Lovett, Bob Musil, Mark Magit**)  
Failure to file Change of Ownership R06-31  
**ACTION:** Approve and authorize Chairman's signature on a **Resolution No. R06-31** authorizing the Mono County Assessor to abate penalties imposed for failure to file change in ownership statement;  
**Hunt/Bauer 3-0 Absent: Farnetti Vacant: District #4**

## BOARD OF SUPERVISORS / COUNTY ADMINISTRATION

- 9)** Economic Development in June Lake (No action)  
Economic Development in June Lake  
Follow-up Discussion on Economic Development in June Lake (**David Wilbrecht**)  
**ACTION:** Discuss economic development alternatives and options the Board may consider in the future.  
*County Administrator introduces item (moving forward with next steps re June Lake economy, etc as to Rodeo Grounds and Ski Area) Board needs to get a sense of what options are – could be turned over to a consultant – this process would take 4 to*

6 months.

Supervisor Bauer reminds that this item will be discussed at the adjourned meeting in June Lake on April 18<sup>th</sup>. Rusty Gregory is appearing at a community meeting tomorrow night (April 12, 2006) to discuss June Mountain issue. Susan Carpenter is a good facilitator who will do a workshop re training CAC in June Lake. Large amount of work/decisions is up to community. Plans & goals to be determined. Board should consider funding facilitator Susan Carpenter – Bauer will have conference call with Carpenter and bring cost to Board. Discussion by Board as to how to proceed. Consensus is to continue supporting this moving forward. Bauer wants to be certain Board is behind this before going to community – Board is behind this and wants it agendized every week for discussion. Bauer feels that this community can come up with their own specific plan and can therefore make it clear to any developer as to what they want.

## **PUBLIC WORKS**

***This matter will be heard after Housing Authority Meeting.***

**Reconvene meeting: 1:30 p.m.**

Reconvened  
at 1:30 p.m.

**10)**  
Bid Award for  
the  
Courthouse  
Exterior  
Renovation  
Project

Bid Award for the Courthouse Exterior Renovation Project **(Kelly Garcia)**

**ACTION:** (1) Acknowledge receipt of proposals earlier in the day and based upon review and recommendation by the Public Works Director, award the contract to the lowest responsible bidder. (2) Approve and authorize the Director of Public Works (in consultation with County Counsel) to execute and administer an agreement with the lowest responsible bidder for the Mono County Courthouse Exterior Renovation Project, in an amount not to exceed the lowest responsible bid as indicated on the bid proposal. This authorization shall include making minor amendments to said contract from time to time as the Public Works Director may deem necessary, provided such amendments do not substantially alter the scope of work or budget and are approved as to form by County Counsel.

***Public Works requests that this matter be continued. Will be brought back Board by Public Works on April 18, 2006***

## **CLOSED SESSION ADDENDUM**

- 11)** CONFERENCE WITH REAL PROPERTY NEGOTIATORS. Government Code §54956.8. Property: Sierra Center Mall, Mammoth Lakes, California. Agency negotiators: David Wilbrecht and Marshall Rudolph. Negotiating parties: Mono County and Mammoth Sierra Centre, LLC. Under negotiation. Price and terms of payment.
- 12)** CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION. **Initiation of litigation** pursuant to subdivision (c) of Government Code §54956.9. Number of potential cases: One.

## **REGULAR SESSION**

# ADDENDUM

## BOARD OF SUPERVISORS

- 13)** Ambient Air Quality Standards (**Supervisor Byng Hunt**)  
**Discussion:** Ted Schade from Air Pollution Control Board asking Board to send letter and sign Resolution opposing support. Resolution and letter are read aloud by Supervisor Hunt.  
Comments by Geoffrey McQuilken, Mono Lake Committee
- Ambient Air Quality Standards**
- R06-32** **ACTION:** (1) Approve and authorize Chairman's signature on a **Resolution No. R06-32** supporting existing clean air standards that protect public and economic health from particulate pollution originating from the exposed bed of Mono Lake.  
**Hunt/Bauer 3-0 Absent: Farnetti Vacant: District #4**
- M06-47** (2) Approve Chairman's signature on a letter to EPA Administrator Johnson, subject: Comments on U.S. EPA Proposed Rule: National Ambient Air Quality Standards for Particulate Matter.  
**Hunt/Bauer 3-0 Absent: Farnetti Vacant: District #4**

## BOARD OF SUPERVISORS / ECONOMIC DEVELOPMENT

- 14)** June Lake Economic Development  
**ACTION:** Receive presentation by June Lake Community members regarding the impacts of proposed partial closure of June Mountain operations. Review and potentially approve proposed work plan for June Lake "warm beds" economic development. Consider and potentially approve County support for community-based discussions regarding June Lake economic development.
- June Lake Economic Development Continued to Adjourned meeting April 18, 2006**

## COUNTY COUNSEL / COUNTY ADMINISTRATION

- 15)** Employee Negotiations (**Marshall Rudolph, David Wilbrecht**)  
**ACTION:** Approve and authorize Chairman's signature on a **Resolution No. R06-33** approving a first amendment to the Memorandum of Understanding (MOU) between the County and the Mono County Sheriff's Officers' Association (aka the Deputy Sheriff's Association). Receive staff report. Provide any desired direction to staff.  
**Hunt/Bauer 3-0 Absent: Farnetti Vacant: District #4**  
**Adjourn meeting to attend Housing Authority Meeting @ 11:30 a.m.**  
**Reconvene regular Board Meeting at 1:30 p.m.**  
County Administrators Report (Item #1) and Board Reports are given
- Employee Negotiations**
- R06-33**
- 2:30 p.m.**
- Adjourn meeting in memory of **Friend and colleague Supervisor John Cecil, Mammoth Mountain Ski Patrol members John Rosenthal, John McAndrews and James Jaurez and Jan Work, Office of Education** and reconvene in regular session of **April 18, 2006**, at the hour of 9:00 a.m. in the Board Chambers, County Courthouse, Bridgeport, California.